

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

TRUSTEES OF THE NEW JERSEY
B.A.C. HEALTH FUND, et al.,

Plaintiff(s),

v.

THURSTON F. RHODES, INC. d/b/a
J & M CONCRETE & GENERAL
CONTRACTING,

Defendant.

Civil No. 16-892 (RMB/AMD)

ORDER AND JUDGMENT

THIS MATTER having come before the Court upon the renewed Motion for Default Judgment [Docket No. 14] by Plaintiffs Trustees of the New Jersey B.A.C. Health Fund, Trustees of the New Jersey B.A.C. Annuity Fund, Trustees of the B.A.C. Local 5 Pension Fund, Trustees of the New Jersey BM&P Apprentice and Education Fund, Trustees of the Bricklayers & Trowel Trades International Pension Fund, Trustees of the International Masonry Institute, and Richard Tolson, as Administrator of B.A.C Administrative District Council of New Jersey (the "Plaintiffs"), seeking the entry of default judgment against Defendant Thurston F. Rhodes, Inc. d/b/a J & M Concrete & General Contracting (the "Defendant"), pursuant to Federal Rule of Civil Procedure 55(b)(2); and the Court having reviewed the

Plaintiffs' submissions; and the Court having received no opposition to the motion; and for the reasons set forth in the accompanying Opinion issued on this date;

IT IS HEREBY, on this 9th day of August 2017,

ORDERED that Plaintiffs' Motion for Default Judgment [Docket No. 14] is **GRANTED, in part, and DENIED, in part**, consistent with the accompanying Opinion issued on this date; and it is further

ORDERED that judgment shall be entered in favor of Plaintiffs and against Defendant in the amount of \$9,317.93, representing (1) \$5,593.15 in unpaid contributions; (2) \$948.31 in interest thereon; (3) \$1,118.63 in liquidated damages; (4) \$607.50 in dues check-offs; (5) \$441.00 in paralegal fees; and (6) \$609.34 in litigation costs; plus interest incurred from February 7, 2017 through the entry of this Order and Judgment; and it is further

ORDERED that Plaintiffs' request for attorneys' fees is **DENIED WITHOUT PREJUDICE**; and it is further

ORDERED that, on or before September 8, 2017, Plaintiffs shall submit a letter to the Court, not to exceed three (3) double-spaced pages, explaining the reasonableness of the attorneys' fees incurred, in light of the nature of the case and services rendered, or an amended timesheet and request for attorneys' fees, representing only attorneys' fees reasonably

incurred, which the Court will consider in awarding Plaintiffs reasonable attorneys' fees. In the event Plaintiffs do not timely respond to this Order, the Court shall direct the Clerk of the Court to close the file in this matter.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE